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Total Number of Pages in This Submission

3

Application Number

10/808,048

Filing Date

March 23, 2004

First Named Inventor

Daniel J. Damon

Art Unit

3618

Examiner Name

Hau Van Phan

Attorney Docket Number

MPW 3H3A

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
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<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
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Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Kolisch Hartwell, P.C.		
Signature			
Printed name	David S. D'Ascenzo		
Date	May 24, 2005	Reg. No.	39,952

CERTIFICATE OF TRANSMISSION/MAILING

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Signature			
Typed or printed name	David S. D'Ascenzo	Date	May 24, 2005

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DPW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Date: May 24, 2005

In re Application of:

DANIEL J. DAMON

Serial No. : 10/808,048

Group Art Unit: 3618

Filed : March 23, 2004

Examiner: Hau Van Phan

For : BATTERY RETAINER ASSEMBLY FOR
CHILDREN'S RIDE-ON VEHICLES

Mail Stop AMENDMENT

Commissioner for Patents
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Sir:

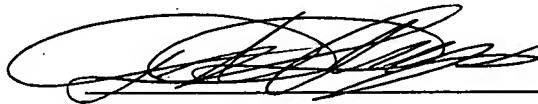
RESPONSE TO RESTRICTION REQUIREMENT

This is a response to the Restriction Requirement that was issued on May 6, 2005 for the above-identified patent application. Claims 1-42 are presently pending and subject to restriction/election. In the Restriction Requirement, the Examiner required Applicant to elect between the subject matter disclosed in Figs. 1-12 (Group I) and the subject matter disclosed in Figs. 13-20 (Group II). As set forth in the Restriction Requirement, the identified Groups of figures disclose patentably distinct subject matter and therefore restriction for examination purposes is appropriate. Applicant has studied the pending claims in view of the identified Groups, and hereby elects Group II. Applicant submits that each of claims 1-42 reads on the elected Group.

Applicant thanks the Examiner for his prior attempt to resolve this matter with a telephone interview. Should the Examiner believe a telephone interview would be helpful to resolve any questions or issues during examination of the pending claims, the Examiner is invited to contact Applicant's undersigned attorney at the number listed below.

Respectfully submitted,

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